

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

---

ARIANNA GOODMAN, *et al.*

Plaintiffs,

v.

HOWARD LUTNICK, *et al.*

Defendant.

---

Case No. 8:25-cv-02097-LKG

**DEFENDANTS' MOTION TO STAY DUE TO  
LAPSE OF APPROPRIATIONS**

Defendants, by and through undersigned counsel, and pursuant to this Court's October 2, 2025 Order in *In re: Lapse of Appropriations on October 1, 2025*, Misc. No.: 25-601 (ECF No. 3) and Local Rule 105.9, move to stay this matter for the number of days of the lapse of appropriations plus the number of days equal to the length of the lapse of appropriations, and state for good cause:

1. This matter arises out of Plaintiff's June 30, 2025 filing of a Complaint alleging Privacy Act violations and seeking relief under the Privacy Act and Declaratory Judgment Act (ECF No. 1).
2. After filing a timely Notice of Intent to file a Motion to Dismiss (ECF No. 10), Defendants moved to dismiss on October 3, 2025 (ECF No. 14). Plaintiffs' Opposition is due on October 17, 2025 (ECF No. 13).
3. In the meantime, the appropriations act that had been funding the Department of Justice expired on September 30, 2025 and appropriations to the Department lapsed as of October 1, 2025. The same is true for several other Executive agencies, including those named as defendants in this case. The Department does not know when funding will be restored by Congress.
4. Absent an appropriation, Department of Justice attorneys and employees of the federal agencies named as Defendants are prohibited from working, even on a voluntary basis, except in very

limited circumstances, such as “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

5. Defendants, through counsel, therefore request a stay of this matter until Congress restores appropriations to the Department, plus the number of days equal to the length of the lapse.

6. By e-mail on October 2, 2025, Defendants, through counsel, sought Plaintiffs' consent, through their attorneys, to the relief requested herein. Plaintiffs declined to consent and advised that they will file an opposition to this Motion.

7. If this motion is granted, Defendants, through counsel, will notify the Court and Plaintiffs, through their attorneys, as soon as Congress has appropriated funds for the Department. Defendants request that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

8. Accordingly, although Defendants greatly regret any disruption caused to the Court and the other litigants, Defendants hereby move for a stay of in this case until they and the Department of Justice are permitted to resume their usual functions, plus the number of days equal to the length of the lapse of appropriations.

WHEREFORE, Defendants respectfully request that this Motion to Stay be GRANTED.

Respectfully submitted,

Kelly O. Hayes  
United States Attorney

/s/ Melissa E. Goldmeier  
Melissa E. Goldmeier (No. 18769)  
Assistant United States Attorney  
United States Attorney's Office  
District of Maryland  
36 South Charles Street, Fourth Floor  
Baltimore, Maryland, 21201  
(410) 209-4855  
[Melissa.Goldmeier@usdoj.gov](mailto:Melissa.Goldmeier@usdoj.gov)